

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AUGUST IMAGE LLC,

Plaintiff,

-against-

TRIFECTA HEALTH LLC d/b/a/ TRIFECTA MED
SPA,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 02/28/2024

23-CV-10876 (MMG)

ORDER OF DISMISSAL

MARGARET M. GARNETT, United States District Judge:

This case has been reassigned to the undersigned. All counsel must familiarize themselves with the Court's Individual Rules & Practices (Individual Rules), which are available at <https://nysd.uscourts.gov/hon-margaret-m-garnett>.

The Court having been advised at Dkt. No. 11 that Plaintiff voluntarily dismissed the Complaint pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, it is hereby ORDERED that the above-entitled action is DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within 60 days** of the date of this Order if the settlement is not consummated.

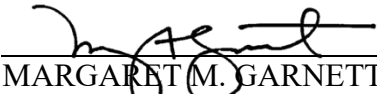
To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.** If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be "so ordered" by the Court. Unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Counsel who have entered a notice of appearance as of the issuance of this order are directed (1) to notify counsel for all other parties in this action who have not yet appeared by serving upon each of them a copy of this order and the Court's Individual Rules forthwith, and (2) to file proof of such notice with the Court. If unaware of the identity of counsel for any of the parties, counsel receiving this order must forthwith send a copy of this order and the Court's Individual Rules to that party personally.

The Clerk of Court is directed to close the case.

Dated: February 28, 2024
New York, New York

SO ORDERED.


MARGARET M. GARNETT
United States District Judge